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EXAMINER

GREIMEL, JOCELYN

ART UNIT

PAPER NUMBER

3693

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/016,521

Applicant(s)

CASTRO ET AL.

Examiner

Jocelyn Greimel

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☒ Claim(s) 1, 13 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This non-final action is in response to Applicant's application filed 07 December 2001. The application claims the benefit of 60/254,376 filed 08 December 2000. Claims 1-39 are pending and are presented to be examined upon their merits. Claims 1, 13 and 25 are independent claims.

#### ***Specification***

2. The abstract of the disclosure is objected to because it exceeds the length limitation. Correction is required. See MPEP § 608.01(b).

#### ***Claim Objections***

3. Claims 1, 13 and 25 are objected to because of the following informalities. Applicant claims "delivering business chamber resources" and this language is unclear. Examiner would suggest the language "provide a display of business chamber resources" or "delivering a display of business chamber resources to the user through the web-based portal display." Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

Art Unit: 3693

subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. **Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikurak (US Patent No. 7,130,807 B1) in view of Strisower (US Patent Pub. No. 2001/0029465 A1) and further in view of Melick et al (US Patent Pub. No. 2001/0047283 A1, hereinafter Melick) and Schutzer et al (US Patent No. 5,920,848, hereinafter Schutzer).** In reference to claims 1, 13 and 25, Strisower discloses a method, system and program product comprising:

- a. generating a list of particularized supplier data, in response to a particular user input, wherein said particularized supplier data is accessible via said web-based portal (col. 23, line 52 – col. 24, line 55);

b. displaying interactive training data, in response to a particular user input, wherein said interactive training data is displayed within said web-based portal (col. 143, lines 10-60; fig. 117);

c. compiling banking and lending data tailored to a particular user, in response to a particular user input, wherein said compiled banking and lending data is accessible via said web-based portal (col. 24, line 55 – col. 25, line 19; fig. 119); and

d. displaying online business chamber management tools within said web-based portal dedicated to enhancing business chamber management, communication and productivity (col. 26, lines 15-45).

7. In reference to claims 2 and 3, Mikurak discloses a method, system and program product comprising:

e. compiling a supplier database having supply data therein (col. 23, lines 35-50);

f. analyzing said supply database in response to a user request to view particular supply data (col. 23, lines 35-50);

g. automatically notifying a particular supplier associated with said particular supply data (col. 23, lines 35-50; col. 24, lines 33-54);

Art Unit: 3693

- h. permitting said supplier to contact said user, in response to automatically notifying said particular supplier associated with said particular supply data, thereby enabling a procurement opportunity for said user (col. 24, lines 33-54);
- i. automatically tracking entries of said user to compile a history of said user's purchasing opportunities and supply data questions (col. 24, line 10 – col. 25, line 37);
- j. prompting a user to select particular training data (col. 143, lines 10-24);
- k. displaying training data via an online curriculum within said web-based portal, in response to a user selection of particular training data (col. 143, lines 10-24);
- l. accessing said online curriculum (col. 143, lines 10-24);
- m. interactively permitting user to provide user feedback, in response to accessing said online curriculum (col. 144, lines 9-14);
- n. evaluating said user feedback to provide educational and training responses thereof (col. 144, lines 9-14).

8. In reference to claim 4, Strisower discloses:

- o. permitting lending institutions to post banking and lending data within said web-based portal (abstract);
- p. prompting a user to select particular banking and lending data from said web-based portal (abstract);

q. tracking said user's selections and responses thereof (abstract).

9. In reference to claim 5, Schutzer discloses:

r. analyzing user-provided financial data from a user (col. 3, line 21 – col. 4, line 40);

s. referring said user to a particular lending institution (col. 3, line 21 – col. 4, line 40);

t. generating an online application template by which a user may enter data to request a loan from said particular lending institution, if said user indicates a desire to apply for a loan from said particular lending institution (col. 3, line 21 – col. 4, line 40).

10. In reference to claims 6-8, Melick discloses:

u. compiling an online chamber membership directory according to industry codes (0045-0047; *online data storage using codes*);

v. organizing said online chamber membership directory according categories based on said industry codes (0045-0047; *online data storage using codes*);

- w. permitting a user to update said online chamber membership directory via said web-based portal (0047; *ability to update information such as creation of new records and logging of repairs to items*);
- x. compiling an online library of business chamber member-contributed data (0045-0047; *online data storage using codes*);
- y. permitting a user to access said online library via said web-based portal (0045-0047; *online data storage using codes*);
- z. permitting selected users to remotely customize said web-based portal to display information tailored to a particular local market (0045-0047).

11. In reference to claims 9 and 10, Mikurak discloses education-related web applications and the related systems as described below. Some of the related features of the on-line teaching sessions such as recording position, resuming a session and recording the time of the session are well-known in the art of web-based applications:

- aa. permitting a user to access an online curriculum session;
- bb. recording a position of said user in said online curriculum session, if said user terminates said online curriculum session accessed by said user;
- cc. and resuming said online curriculum session at said position, in response to an immediately succeeding access of said online curriculum session by said user, thereby enabling said user to return to said online curriculum session at said user's personal convenience;

Art Unit: 3693

dd. recording a particular amount of time associated with said online curriculum session.

12. In reference to claims 11 and 12, Melick discloses customizing web-based content:

ee. permitting said user to author particular web-based content utilizing predefined web-based authoring tools accessible through said web-based portal (0029; 0048);

ff. configuring said particular web-based content to a particular local market utilizing said predefined web-based authoring tools (0029; 0048).


### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached Monday - Friday 8:30 AM - 4:30 PM EST. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached at (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3693

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel  
Examiner, Art Unit 3693  
November 3, 2006

  
ELLA COLBERT  
PRIMARY EXAMINER